

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
BID PROTEST**

FMS INVESTMENT CORP., *et al.*,

Plaintiff,

v.

UNITED STATES

Defendant.

**No. 19-308C, 19-331C, 19-372C
(consolidated)**

Judge Thomas C. Wheeler

**PLAINTIFF’S UNOPPOSED MOTION TO POSTPONE THE MARCH 18, 2019 STATUS
CONFERENCE UNTIL A PUBLIC VERSION OF THE ADMINISTRATIVE RECORD
HAS BEEN FILED**

Plaintiff Continental Service Group, Inc. (“ConServe”) respectfully requests the Court postpone the March 18, 2019 status conference until later in the week after the U.S. Department of Education (“ED”) has decided which portions of the record do not merit protection and filing under seal, which will enable protesters’ clients to see the unprotected version of the record, evaluate ED’s representations and share their views with their counsel. In turn, this will make for a much more productive, focused, and enlightening hearing for this Court. Additionally, ED filed the complete record later than originally ordered by the Court, which hampered undersigned counsel’s ability to review the record and, in fact, portions remain unavailable to undersigned as of today due to technical issues associated with the production made by the Government. However, counsel for ED has informed us that they have sent the missing portions to us via messenger, and we expect delivery sometime on Monday. Moreover, counsel for ED has informed us that they do not oppose our request for a continuance.

At present time, undersigned is optimistic that the Government will file public versions of the administrative record on Monday and, if that occurs, a continuance until Wednesday afternoon would be welcome. If the Government is unable to file the public version of the record until Tuesday, we would request until Thursday afternoon for the hearing.

Dated: March 16, 2019

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was filed electronically via the CM/ECF system on March 16, 2019.

/s/ Todd J. Canni
Todd J. Canni